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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States parties

DEMOCRATIC YEMEN

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INTRODUCTION

1. Our country, the People's Democratic Republic of Yemen, has always striven ever since its ratification of the International Convention on the Elimination of all Forms of Discrimination against Women in May 1984 to apply all possible efforts and available means through its national machinery represented by the General Federation of Yemeni Women - being the women's mass organization, to which were delegated combative tasks for the defence of the rights and achievements gained by women since the advent of National Independence on 30th November, 1967, and the continuity of all efforts to put these rights into practice guaranteeing defacto equality in accordance with Article (67) of the Constitution of the Republic.

2. This Report presented to the Seminr is the first follow-up report of our national machinery since the ratification of our country of the Convention, and includes all the measures adopted so far to implement the individual articles of the Convention, the evaluation of the progress made todate in eliminating discrimination against women, the changes in the status of women in the field of equality, and the obstacles encountered by women in participating on equal basis in all spheres of life.

3. The situation of women in our country under colonialism and Anglo-Sultantic rule which lasted for 129 years, was miserable indeed, particularly in the Sultanates and Sheikhdoms where backward customs and traditions were rampant, and women were verily living in a prison governed by tribal customs. In the Colony of Aden (75 sq.miles) there existed the Aden Laws, which dealt as far as women were concerned with questions of marriage, divorce and inheritance but on a sectarian basis. As for education, there was only one girls' secondary school on the eve of independence in November 1967 with a few primary schools within the former Aden Colony. This poor standard of education was predestined to fill certain job opportunities such as primary school teachers or secretaries and ward nurses.

4. All radical changes and developments that were achieved by women concerning their social, political, economic and cultural rights took place after the 22nd June Corrective Movement, 1969, and in particular when the National Constitution was adopted on 17/11/1970 (Amended Oct.1978). Parallel to this political evolution, the first development plan for the years 1970-1973 was drawn up and successfully implemented. Subsequently, five-year plans were adopted by Act of the Supreme Peoples Council, enabling our country to plan comprehensively the whole economy which included planning the work force, the creation of jobs for women and their integeration in the process of economic and social development.

The direct result of these changes was that during less than a decade of time, women in our country occupied an important position in all different spheres of life.

The National Report

Article 1, 2, 3, 4 :

5. Both the 1970 and 1978 (Amended) Constitution of Democratic Yemen categorically stated that all citizens are equal in their rights and duties irrespective of their race, origin, religion, language, degree of education or social status, and that all persons are equal before law. Furthermore, it affirms that the State is obliged to achieve this quality by providing equal political, economic, social, cultural opportunities.

6. Before its independence on 30/11/1967, the country did not have a constitution of any sort at all, and within three years after its independence, it was already incorporating in its first National Constitution clear reference as to the equality between all citizens. A thorough reading of each and individual article of the Constitution will reveal that it does not contain any distinction, exclusion or restriction made on the basis of sex. In this sense Democratic Yemen in fact had already introduced the undertaking covered by Article (2) of the Convention

although adopted by the General Assembly on 18/12/1979, and signed and ratified later by the Supreme Council in the P.D.R.Y. in its session of May 1984. Furthermore, Article (137) of the Constitution proclaims that ''the Constitution is the basic law, and is imperative and immediate.'' The concluding Article (138) unequivocally also states ''that all laws, legislation passed by the State before the Amendment of this Constitution shall remain in force provided it is in concord with the Articles of the present Constitution or is not repealed or amended by its Articles.''

7. The Penal Code passed on 9/3/1976 together with the Criminal Proceedings Regulations made specific reference as to the subject of equality before law in:

- Article (7)(1) Penal Code

  All persons are equal before law, irrespective of their sex, race, religion, language,degree of education or social position.

- Article (8) (Equality before Law)

  All citizens are equal before law in respect of Criminal Proceedings Regulations, and it is prohibited to persue or harm any human as a result of his nationality, race, origin,language, religion or ideological creed, or identification with a class or social category, degree of education or social position.

8. As far as Article (2)(C) and (D) are concerned, the General Federation of Yemeni Women, in the absence of the competent national tribunals and other public institutions plays a direct role in the effective protection of women against acts of discrimination mainly through its secretariats for social and legal affairs, who are qualified legal consultants. Since the national machinery is wide-spread throughout the country, it is in fact a most suitable apparatus at present for following-up any reported discriminatory acts. A further impetus was given through the Resolution adopted in the 4th congress of the G.F.Y.W. to form women committees at all places of work and production, and as a first step during 1987-88 they were established successfully in several factories and institutions. It is planned to extend the network to cover all ministries, institutions, enterprises, factories, co-operatives (both consumer and agricultural), state farms and companies right into the middle of 1991. It is also envisaged that these women committees will form the first-hand source of information in monitoring the situation of women in their places of work and disseminating and implementing of the Convention through increased awareness of the rights of women.

9. However, the establishment of specialized Family Legal Bureaux is of utmost importance. These are required to assist women to circumvent the present

difficulties encountered as a result of the comparably lengthy legal proceedings due to the insufficient number of practising solicitors and advocates at present. The G.F.Y.W. did in fact hold in January 1984 a major colloquium for evaluation of the Family Law, and this was followed-up with several seminars held in conjunction and co-ordination with specialists and experts from the Ministry of Justice, the Public Prosecution Office, the different levels of Courts (Divisional, Province, Supreme), the Ministry of Interior and Police sections in the provinces. The national machinery was able to determine through these seminars, the problems and difficulties as a consequent of the low-standard of legal consciousness amongst a wide sector of the citizens - both men and women - in comparison with their general standard of education. This is of course a common feature in developing countries. It is needless to say that most mal-practices and contraventions of the law are attributed to the sheer ignorance by many people of the rights and guarantees offered by the Constitution and the laws enacted by the Peoples Supreme Council.

10. On examination of Article (5), we find that prejudices and customary and all other practices based on the inferiority or the superiority of either sexes or on stereotyped roles clash directly

with the prevalent ideology in Democratic Yemen which has enacted as early as 1970, three years after gaining of its independence, an education law that changed the previous structure with emphasis on co-education throughout the whole system, as girls and boys till then were segregated in separate schools up to the secondary level. From that time onwards the momentum increased, and with sure steps as the education network penetrated the rural areas and reached the Bedouin Nomads in the furthermost areas. Through this persistent policy of official education, the Democratic Yemen developed a counter-culture vis-a-vis the old concepts of inferiority of and superiority of either sexes. This policy, of course, is extended into all universities and institutes of higher education, as the students move up the scale. Co-education in short had a marked influence on the transformation of old attitudes and concepts.

11. We must bear in mind that the programme of the Socialist Party of Yemen adopted in its 1st Congress in Oct 1978, laid down a main guideline which is ''the participation of Yemeni women expansively in the economic, social and cultural life of the country, and the persistent struggle for maintaining, realization and safeguarding of rights given to women, and the devebpment of their potentialities, qualifications and their participation in the building of new life.'' This Party

course of action is clearly concurrent in general with the articles of the Convention, and these principles are embodied in the government programmes, and adhered to in the preparation of development plans.

12. It should be noted when we consider article (7) (10) and (11) of the Convention, that while tasks are easier when working with younger generations, whether in the cities or the rural areas, they are comparatively more difficult with the older generations for the following reasons:-

(a) Relative illetracy.
(b) Misinterpretation of the role of women in Moslem societies.
(c) Under-development of social structures in certain provinces.
(d) Import of negative attitudes due to the population movement from rural to urban areas, particularly of the older generations.

Article (6)

13. Prostitution is prohibited by law in Democratic Yemen. Any exploitation or acts constituting any form of traffic of women is liable to a term of imprisonment not less than 6 months and not more than 3 years. Organized prostitution does not exist in our country. No cases were prosecuted between 1976 when the Penal Code was enacted and 1988.

14. Prostitution did exist in the Aden Colony prior to independence, because of the port's special status under British rule as a free international port, and a major military base.

15. With the coming of independence, and the closure of the Suez Canal, such traffic became invalid, and the opening of opportunities of work for women assisted in solving the remnants of the problem.

Article (17)

16. The participation of women on equal terms in voting, formulation of government policy and in non-governmental organizations and associations concerned with the public and political organizations of our country may be evaluated on the basis of actual data -

(i) the right to vote is guaranteed for any person who has reached the age of 18 years on the day of election. To be elected to the local Peoples Council the nominee must be 21 years of age on the day of election, and 24 years of age if the nomination is for the Peoples Supreme Council. The present composition of the Supreme Peoples Council is 111 members out of which 11 are females. The Presidium of the Supreme Council itself is composed of 15 members, one of which is a woman, the Chairman of the G.F.Y.W.

The Local Peoples Councils are composed of the following in the six Governorates:

Aden 56 members/Lahej 61/Abyan 51/Shabwa 47/ Hadhramouth 67/ and Al-Mahra 41

The two newly established District Councils as model experiments are:

Seiyun (from Hadhramouth Governorate) 29 members
Radfan (from Lahej Governorate) 31 members

(ii) Given below are the statistics relating to women in the workers movement and their participation as follows:

	Males	Females	%
• The Central Council	77	8	94%
• Trade Union Councils	416	58	12,2
• Workers Councils (Provinces)	230	33	14,9
• Workers Councils (Districts)	177	31	17,5
• Fundamental Union Committees	7363	1299	14,9

(iii) In the Peoples Defence Committees Organization which is a wide-spread mass organization throughout all the residential units, areas, districts, cities, and provinces, the membership figures are:

	Males	Females
• National Command	51	5
• General Secretariat	6	1
• Membership	130,215	61,442

(iv) The FATTAH Youth Mass Organization which has a total membership of 70,000 includes about 12% female members throughout the country, and in their hierarchy we find the following:-

	Males	Females
.Central Committee:		
(Original)	65	8
(Candidates)	16	4
.Executive Bureau	17	2
.General Secretariats	10	2

Article (8)

17. Women have occupied signifcant positions in the Ministry of Foreign Affairs as chiefs of departments, and during the 1984-1986 re-shuffle were appointed as cultural or information attaches or consuls. The G.F.Y.W. is endeavouring at present through party and government media to give women a proportional participation in the representation of our government at the international level, and to participate in the work of international organizations in accordance with the terms of the article of the Convention in this respect.

Article (9)

18. In accordance with the Nationality Law No.2 for 1981, a Yemeni woman does not forfeit her nationality whether married to a Yemeni who obtained a foreign nationality after marriage or an alien unless a written application is submitted by her to that effect and subsequently approved by the Minister of Interior. The foreign wife of a Yemeni male may be granted nationality on her own written request and after a domicile of two years.

Article (11)

Women, Employment and Social Security):-

19. The Fundamental Labour Law No.14 of 1978 granted women equal rights to pay and wages, and decreed that work was an inalienable right,with equal conditions, opportunities, and rights,for every citizen irrespective of any discrimination whatsoever based on sex, age, custom, colour, religion,

or language. The law also prohibits the work of women in jobs or industries which are considered hard or injurious medically and socially.

20. Maternity leave is granted by law for a period of 60 days. This may be increased by twenty days if the delivery was difficult, on the instance of birth of twins, or punctuality in work right up to the time of birth.

21. Working hours of pregnant women are limited by law to 6 hours only up to the sixth month for expectant mothers and up to 7 hours for the nursing mothers.

22. Leave with pay is equal for all workers (male and female) although the law permits monetary compensation, instead of leave in certain cases like marriage or birth. A positive discrimination that can be cited is that the law permits granting of leave without pay to women for accompanying their husbands to any place other than the place of work, or for any reason that is deemed necessary.

23. The right to social security is guaranteed under Law No.1 of 1980. Retirement under this law can apply in seven cases:

On the application of the worker:-

(i) After completion of 30 years actual service for males and 25 years for females (irrespective of their own age)

(ii) After completion of 25 years actual service for males (on reaching 50 years of age) and 20 years of service for females (on reaching 46 years of age)

(iii) After completion of 15 years actual service for males (on reaching 60 years of age) and 10 years of actual service for females (on reaching 55 years of age)

(iv) If medically unit, due to disability from a sustained work injury (irrespective of length of service)

(v) If medically unfit in accordance with the decision of a medical board (irrespect of length of service)

(vi) On the demise of the worker for any reason (irrespective of length of service)

(vii) On reaching retirement age, 60 years for males and 55 years for females.

24. Another positive discrimination that can be cited is that the married woman does not pay income tax. The jointly income of the couple is assessed jointly but the income tax is deducted from the income of the husband only.

II - The Role of Educational and Information Programmes for Cognizance of the Convention

25. The national machinery, the G F Y W adopts several ways and means in carrying out its educational and information activities with the objective of mobilizing and creating awareness to acquaint women with the articles of the Convention. These ways and means are reflected in the following:

(a) Programmed broad meetings with the members of the Federation (generalized)

(b) Broad meetings with the working women at places of work and factories (specialised)

(c) Lecturing amonst the female students at schools, institutes and faculties.

26. These meetings and lectures are consecrated to illuminate the different aspects and activities of the Federation, which include its participation in international conferences and interregional seminars concerning women, and to transmit the

contents of the transactions to the members. During the celebration of the International Decade of Women our national machinery participated in several relevant activities, the results of which were circulated fully to its members. This was crowned by the publication during the 4th Congress of our Federation held in June 1986 of a volume ''A Decade of Progress'', which made special mention of our country's ratification to the Convention.

27. The national machinery has also its own programmes (both audio and visual) and these programmes subscribe in the required educational/information role for cognizance of the Convention. Through the daily radio programme ''The Family'' broadcast by the Central Broadcasting Service, the G F Y W prepares and presents all the various subject matter and information. It is broadcast for 30 minutes daily at 0830 hrs., when women are generally free, as well as the simultaneous re-broadcasting through the internal amplifiers at locations of work. This is about 13 hours per mensum or 156 hours per annum. The Federation branches in the provinces also broadcast weekly via the local broadcasting services their own ''Family'' programme with an emphasis on the special needs and requirements of each and individual province. The total time allowed is 1440 minutes per annum or 24 hours of broadcasting time.

28. In addition, the Federation presents a visual information programme on television called ''The Family and the Society''. This is broadcast weekly at peak time for 30 minutes, the total time allowed being 24 hours per annum.

29. The Federation, therefore, is given 204 hours of time space for information for which the national machinery is solely and directly responsible, and which deals with the tasks delegated to it, and the new responsibilities added to women in building the family and society with no form of control whatsoever from any ministry or government organization.

30. As a matter of policy, the G.F.Y.W. includes in these programmes cognizance of the Convention through the participation of legal experts.

31. The Federation has also its own periodical - the organ of the Central Council of the national machinery - which allocates suitable columns for viewpoints and articles relating to legal and constitutional rights of women, both in our country and abroad. The branches too have their own periodic bulletins, and bill-boards are used extensively as a platform in the educational and information process and development of the members legal awareness.

32. Together with the above forms, all the mass information media in the country (Broadcasting, Press and Television) participates in the dissemination of all information designed to acquaint all the strata of society with the efforts of the G F Y W for development and improvement of the status of women. All these mass media interplay to affirm the new position occupied by women in our society today as a reflection of the official policy of the state.

33. We note, however, that these efforts should be concentrated and uninterrupted in order to mobilize fully the latent collective capabilities which can be used further, and much specialized aid and support is required in this respect.

III - Mechanisms for Disseminating the Convention

34. As explained throughout our report, the main body concerned with this aspect is the G.F.Y.W. being the national machinery that shoulders the main responsibility for disseminating the Convention on a broad scale. This can be implemented through the following:-

(a) Publication of the Declaration and the Convention in its series of volumes consecrated to this end.

(b) Co-ordination with the Centre of Educational and Cultural Research, and the University of Aden to benefit from the experience of specialists.

(c) Reappraisal of the present use of the mass information media in the light of the recommendation of the experts.

(d) Full mobilization of women through organized political and trade unionist activities in all places of work and production for implementation of the articles of the Convention.

(e) Co-ordination with the Ministry of Education for reconsideration and reappraisal of the adult and functional literacy programmes in order to introduce the principles of non-discrimination against women in the present curricula.

(f) As Article (14) of the Convention is solely devoted to the women in rural areas, special attention has to be given to her problems through tailored information programmes designed to assist them in comprehending their rights and thereafter the launching of the campaign for their equality.

35. We hope to find in this timely gathering of representatives of State Parties an opportunity to exchange experiences and experiments that would promote the methodology of disseminating the Convention in order to augment our own modest experiences.

Conclusion

36. In our opinion, there exists in Democratic Yemen an extremely favourable attitude towards women.

This can be evidenced from the political report submitted to the General Conference of the

Socialist Yemen Party and duly approved (held in June 1987), which criticized the membership of women in the Party as being low and commensurate with the directives of the Party on the status of women in society. The report also criticized the mass organizations for the low membership of women. It significantly demanded from the national machinery to consolidate its role and position amongst the women of the country, and demanded from women to defend their rights with the power of the Constitution and Law.

37. Finally, we hope that the report has given a clear account of the available resources for implementing the Convention based on the declared and serious intentions of our country, and we shall only be able to fulfil the objectives of the Convention through the co-operation of the specialized U.N. agencies, and close co-ordination with the other State Parties such as the member countries of the Arab League and the developing countries who share similar development experiences economically and socially.